

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
ENERGIZER S.A.

07 CV 7406 (LTS)

Plaintiff,

-against-

M/V YM GREEN, her engines, boilers and  
tackle *in rem*; YANG MING MARINE TRANSPORT  
CORP.; YANGMING (UK) LTD.; ALL OCEANS  
TRANSPORTATION INC.; KAWASAKI KISEN KAISHA,  
LTD., CONTERM HONG KONG LTD.; VANGUARD  
LOGISTICS SERVICES HONG KONG LTD.; FIEGE  
GOTH CO., LTD.; and SHENZHEN HIGH POWER  
TECHNOLOGY CO. LTD.

ANSWER TO  
PLAINTIFF'S CLAIM  
FOR INDEMNITY  
AND CONTRIBUTION  
WITH AFFIRMATIVE  
DEFENSES

Defendants.

-----X

Defendant KAWASAKI KISEN KAISHA, LTD. (answering  
defendant) by its attorneys, MAHONEY & KEANE, LLP, answers  
Plaintiff's Claim for Indemnity upon information and belief as  
follows:

FIRST: Answering defendant denies the allegations  
contained in paragraphs "9", "10" and "11" of plaintiff's Claim for  
Indemnity and Contribution.

AS AND FOR A FIRST SEPARATE AND COMPLETE AFFIRMATIVE DEFENSE

SECOND: Defendant, KAWASAKI KISEN KAISHA, LTD., repeat,  
reiterate and make applicable to plaintiff's Claim for Indemnity  
each Separate and Complete Affirmative defense in their Answer to  
plaintiff's Complaint as if specifically set forth herein at  
length, and specifically without waiver of any jurisdictional  
defenses set forth in answering defendant's Answer to plaintiff's

Complaint.

WHEREFORE, defendant KAWASAKI KISEN KAISHA, LTD. demand judgment dismissing the plaintiff's Claim for Indemnity and Contribution herein, and awarding defendant KAWASAKI KISEN KAISHA, LTD. costs, fees, including reasonable attorneys fees and disbursements of this action, and further demands judgment against the plaintiff for all costs, disbursements and attorneys' fees of this action, and for such other and further relief as to the Court may seem just and proper.

Dated: New York, N.Y.  
February 6, 2008

MAHONEY & KEANE, LLP  
Attorneys for Defendant  
KAWASAKI KISEN KAISHA

By: 

Edward A. Keane (EK 1398)  
111 Broadway, Tenth Floor  
New York, New York 10006  
(212) 385-1422  
File No.: 12/3475/B/07/9

TO: HILL, RIVKINS & HAYDEN, LLP  
Attorneys for Plaintiff  
45 Broadway, Suite 1500  
New York, NY 10006  
(212) 669-0600

CICHANOWICZ, CALLAN, KEANE, VENGROW & TESTOR, LLP  
Attorneys for Defendants  
YANG MING MARINE TRANSPORT CORP.'s and  
YANGMING (UK) LTD CARRIERS  
61 Broadway, Suite 3000  
New York, NY 10006  
(212) 344-7042

DOUGHERTY, RYAN, GIUFFRA, ZAMBITO & HESSION  
Attorneys for Defendant  
CONTERM HONG KONG, LTD. and  
VANGUARD LOGISTICS SERVICES HONG KONG LTD.  
131 East 38th Street  
New York, NY 10016  
(212) 889-1288

LENNON, MURPHY & LENNON, LLC  
Attorneys for Defendant  
FIEGE GOTH CO. LTD.  
The Greybar Building  
420 Lexington Avenue, Suite 300  
New York, NY 10170  
(212) 490-6070

KARDARAS & KELLEHER, LLP  
Attorneys for Defendant  
SHENZHEN HIGH POWER TECHNOLOGY CO., LTD.  
44 Wall Street  
New York, NY 10005  
(212) 785-5055